



# PUBLIC NOTICE

FEDERAL COMMUNICATIONS COMMISSION  
445 12th STREET S.W.  
WASHINGTON D.C. 20554

---

News media information 202-418-0500

Fax-On-Demand 202-418-2830; Internet: <http://www.fcc.gov> (or <ftp.fcc.gov>)

TTY (202) 418-2555

**Report No. TEL-00604NS**

**Friday November 29, 2002**

## **NON STREAMLINED INTERNATIONAL APPLICATIONS ACCEPTED FOR FILING**

### **Section 214 Applications (47 C.F.R. § 63.18); Cable Landing License Applications (47 C.F.R. § 1.767); Authorize Switched Services over Private Lines (47 C.F.R. § 63.16) and Section 310(b)(4)**

Unless otherwise specified, the following procedures apply to the applications listed below:

The applications listed below have been found, upon initial review, to be acceptable for filing. These applications are not subject to the streamlined processing procedures set forth in Section 63.12 of the Commission's rules, 47 C.F.R. § 63.12. These applications shall not be deemed granted until the Commission affirmatively acts upon the application, either by public notice or by written order. Operation for which authorization is sought may not commence except in accordance with any terms or conditions imposed by the Commission.

Unless otherwise specified, interested parties may file comments with respect to these applications within 28 days of the date of this public notice. We request that such comments refer to the application file number shown below. Ex parte communications between outside parties and Commission staff concerning these applications are permitted subject to the Commission's rules for "permit-but-disclose proceedings." See 47 C.F.R. § 1.1206.

Copies of all applications listed here are available for public inspection in the FCC Office of Public Affairs Reference and Information Center, located in room CY-A257 at the Portals 2 building, 445 12th Street SW, Washington DC 20554. The center can be contacted at (202) 418-0270. All applications listed are subject to further consideration and review, and may be returned and/or dismissed if not found to be in accordance with the Commission's rules, regulations, and other requirements.

---

**ISP-PDR-20021017-00037 P**

Andesat Teleport, Inc.

#### Petition for Declaratory Ruling

Andesat Teleport, Inc. (ATI or Petitioner) seeks a declaratory ruling that is not contrary to the public interest for ATI to have indirect foreign ownership and voting interests in excess of the 25 percent benchmark in Section 310(b)(4) of the Communications Act of 1934, as amended. This request is filed in conjunction with an application for consent to assign a common carrier fixed earth station facility from Medley International Teleport, Inc. to ATI. ATI also has filed an application for consent to assign an international Section 214 authorization held by Telpar Teleport Corporation to ATI.

Petitioner states that ATI is a U.S. corporation that is wholly owned by Andesat SA EMA Corporation (Andesat). Petitioner further asserts that Andesat, a U.S. corporation, is in turn wholly owned by Andesat Sistema Satelital Andino Simon Bolivar SA EMA (Andesat SSA), a Colombian company. According to the petition, 100 percent of the equity interests in Andesat SSA are owned by five groups of privately-held companies from Bolivia, Colombia, Ecuador, Peru and Venezuela, all of which are WTO Member countries. The investing companies from each of these five "country groups" hold, in the aggregate, approximately 20 percent of the capital stock of Andesat SSA (e.g., companies from Bolivia own in the aggregate 20.50 percent of the shares of Andesat SSA).

Petitioner asserts that, with the exception of electing directors, each of Andesat SSA's investors is entitled to one vote, irrespective of its individual level of equity ownership. With respect to the election of directors, each country group, i.e., Bolivia, Colombia, Ecuador, Peru and Venezuela, has the right to appoint at least one director to the board of Andesat SSA, so long as the country group collectively owns at least ten percent of Andesat SSA's total outstanding stock. Petitioner asserts that, pursuant to the rules and policies established in the Commission's Foreign Participation Order, 12 FCC Rcd 23891 (1997), Order on Reconsideration, 15 FCC Rcd 18158 (2000), the indirect foreign ownership and voting interests in ATI are consistent with the public interest. For further information, contact Cynthia Bryant at (202) 418-1460.

---

Assignment

**Current Licensee:** TELPAN TELEPORT CORPORATION

**FROM:** TELPAN TELEPORT CORPORATION

**TO:** Andesat Teleport, Inc.

Application to assign international section 214 authorization (File No. ITC-214-19980126-00042) from Telpan Teleport Corporation to Andesat Teleport, Inc. For further information contact Cynthia Bryant at (202) 418-1460.

---

REMINDER:

Applicants must certify that neither the applicant nor any party to the application is subject to a denial of federal benefits by federal and/or state courts under authority granted in 21 U.S.C. § 862. See 47 C.F.R. §§ 1.2001–.2003.

The Commission most recently amended its rules applicable to international telecommunications common carriers in IB Docket No. 98-118, Review of International Common Carrier Regulations, FCC 99-51, released March 23, 1999, 64 Fed. Reg. 19,057 (Apr. 19, 1999). An updated version of Section 63.09-.24 of the rules, and other related sections, is available at <http://www.fcc.gov/ib/td/pf/telecomrules.html>.